

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ELAINE L. CHAO,**  
**Secretary of Labor, United States**  
**Department of Labor,**

**Plaintiff,**

**V.**

**CLOUDBURST UNDERGROUND  
SPRINKLER SYSTEMS, INC. and  
DAVID E. WORTMAN, Individually,**

## Defendants.

**8:07CV129**

## ORDER

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendants executed waivers of service of summons, requiring them to answer or respond to the complaint by August 31, 2007. Apparently, the defendants have failed to timely answer or otherwise respond to the complaint. It remains plaintiff's duty to go forward in prosecuting the case by, for example, obtaining entries of default and filing motions for default judgment.

**IT THEREFORE IS ORDERED** that plaintiff is given until **October 15, 2007** to obtain entries of default and file motions for default judgment, or take other appropriate action to prosecute the case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice pursuant to NECivR 41.1 for failure to prosecute.

**DATED September 26, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**